

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**BAKERY CONFECTIONARY TOBACCO  
WORKERS & GRAIN MILLERS UNION**

**and**

**Case 21-CA-171340**

**SANDRA LOPEZ**

**ORDER<sup>1</sup>**

The Employer's motion to quash subpoena duces tecum B-1-S8L8K1 is denied. The subpoena seeks information relevant to the matter under investigation and describes with sufficient particularity the evidence sought, as required by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations. Further, the Employer has failed to establish any other legal basis for revoking the subpoena.<sup>2</sup> See generally *NLRB v. North Bay Plumbing, Inc.*, 102 F.3d 1005 (9th Cir. 1996); *NLRB v. Carolina Food Processors, Inc.*, 81 F.3d 507 (4th Cir. 1996).

Dated, Washington, D.C., August 3, 2016.

MARK GASTON PEARCE,	CHAIRMAN
KENT Y. HIROZAWA,	MEMBER
LAUREN McFERRAN,	MEMBER

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<sup>1</sup> The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

<sup>2</sup> The Region requested commerce information, and the Employer asks the Board to quash the subpoena because, the Employer argues, the Region can – and should – get that information from other sources. But the possibility that the requested information may be available from other sources is not a basis to quash a subpoena, as the requested documents may be necessary to corroborate or supplement the investigative file. The Regional staff plainly acted properly in seeking the information *from the Employer* and, further, in proceeding by subpoena after their initial requests went unanswered.